

MEMO ENDORSED

August 8, 2024

BY ECF

Hon. Valerie E. Caproni
United States District Court for the Southern District of New York
40 Foley Square, Room 443
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/9/2024

Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC) (SN)

Dear Judge Caproni:

Pursuant to Your Honor's Individual Rule 5(B)(ii), Defendant StockX LLC ("StockX") and Plaintiff Nike, Inc. ("Nike," and together with StockX, the "Parties") respectfully submit this joint letter requesting the sealed treatment of the Parties' summary judgment briefing, including any moving briefs, oppositions, replies, and supporting declarations and exhibits (the "Motions").

In support of the Motions, the Parties each cite to material that has been designated confidential pursuant to the Stipulated Protective Order in this case (Dkt. No. 52), including documents produced during discovery, expert reports, and the transcripts of expert and fact witness depositions.

As required by the Stipulated Protective Order, the Parties will file portions of the Motions under seal, along with redacted public versions where appropriate. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) ("[C]ourts in this District routinely seal documents to prevent the disclosure of a party's confidential or competitively sensitive business information."); *Regeneron Pharms., Inc. v. Novartis Pharma AG*, 2021 WL 243943, at *1 (S.D.N.Y. Jan. 25, 2021) (collecting cases).

In order to permit the Parties an opportunity to review the opposing Party's Motion, and confer with their clients regarding any necessary sealed treatment, the Parties jointly request that the Court approve the following schedule for exchange and filing of proposed redactions: (1) the Parties shall file the Motions under seal in the first instance; (2) the Parties shall exchange proposed redactions for all confidential information by Thursday, October 17, 2024; (2) the Parties shall each file, under seal, their final proposed redactions with the Court by Thursday, October 24, 2023, along with a publicly-filed letter motion justifying sealed treatment.

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Respectfully submitted,

/s/ Tamar Y. Duvdevani

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Application GRANTED. The parties must comply with the Undersigned's Individual Rules when filing materials under seal or containing redactions (*see* Rule 5).

SO ORDERED.

 8/9/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE